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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

		Application Number	09 / 863791
		Filing Date	May 24, 2001
		First Named Inventor	Davis, Kenton T.
		Group Art Unit	2154
		Examiner Name	Unknown
Total Number of Pages in This Submission	1	Attorney Docket Number	33262-0001

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> <input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Statement Under 37 CFR 3.73(d)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<b>RECEIVED</b>
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	<b>MAY 15 2002</b>
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<b>Remarks</b>	<b>Technology Center 2100</b>
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	If there are any fees due for the filing of these documents please charge our Account No. 50-0665	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Michael D. Scott
Signature	<i>Michael D. Scott</i>
Date	5/2/2002

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

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Typed or printed name	Michael D. Scott		
Signature	<i>Michael D. Scott</i>	Date	5/3/2002

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: PATHNET, INC.

Application No./Patent No.: 09/863791 Filed/Issue Date: May 24, 2001

Entitled: Element Management System for Heterogeneous Telecommunications  
VERTEL CORPORATION, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012395, Frame 0863, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
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The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
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Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

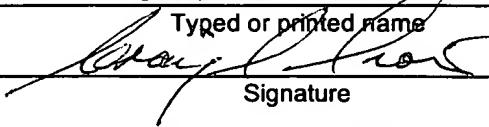
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

4/15/2002

Date

CRAIG S. SCOTT

Typed or printed name

  
Signature

VICE-PRESIDENT

Title